

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           8:07CR367  
                                )  
vs.                         )                           ORDER  
                                )  
JAMES C. HART,             )  
                               )  
Defendant.                 )

This matter is before the court on the motion to continue by defendant James C. Hart (Hart) (Filing No. 18). Hart seeks an extension of the time to December 10, 2007, in which to file pretrial motions in this matter. Hart's counsel represents that counsel for the government has no objection to the motion. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Hart's motion to extend the pretrial motion deadline (Filing No. 18) is granted.
2. Hart shall have to **on or before December 10, 2007**, in which to file pretrial motions in accordance with the progression order (Filing No. 8). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 27, 2007 and December 10, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 27th day of November, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge